IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1842 OF 2007

Babbu Abdul Qium Shaikh ..Petitioner.
Versus
1. State of Maharashtra, &
2. Nandlal Phoolan Yadav. ..Respondents.

..

Mr.N.K.Sharma, Adv. for the Petitioner.
Mrs.A.S.Pai, APP, for the Respondent No.2-State

..

CORAM : R.M.S.KHANDEPARKAR AND SMT.V.K.TAHILRAMANI,JJ.

DATED : OCTOBER 15, 2007.

P.C.:-

1. Heard the learned Advocate for the petitioner. The affidavit filed by the petitioner-accused is taken on record.

2. The Respondent No.2- original complainant present in Court confirms the contents of affidavit dated 20th September, 2007 which is already on record. Respondent No.2 states that he is not interested in pursuing with the complaint and his daughter is already married and well settled. He has further stated that he

has no complaint against the accused.

3. In the circumstances, no purpose would be served in pursuing with the matter and as rightly submitted by the learned Advocate for the petitioner, the Petition deserves to be allowed as the petitioner has also volunteered to pay sum of Rs.10,000/- (Rs.Ten Thousand) for charitable purpose. The said amount to be deposited in the Registry within five days. The said amount shall be payable to the account of "National Association for the Blind India", NAB Department of Rehabilitation, King George Memorial, Dr.E.Moses Road, Mahalaxmi, Mumbai-400 011.

4. In the result, therefore, the Petition is allowed in terms of prayer clause (a) with no order as to costs.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]